S. R. A.–B. E. P. Q. No. 143. Issued September 1940

United States Department of Agriculture

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

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SERVICE AND REGULATORY ANNOUNCEMENTS

APRIL–JUNE 1940

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QUARANTINE AND OTHER OFFICIAL ANNOUNCEMENTS

ANNOUNCEMENT RELATING TO COFFEE QUARANTINE (NO. 73)

INSTRUCTIONS TO COLLECTORS OF CUSTOMS

PLANT QUARANTINE ACT—COFFEE QUARANTINE—NOTICE OF QUARANTINE NO. 73, PROHIBITING IMPORTATION INTO PUERTO RICO OF COMMERCIAL SHIPMENTS OF UNROASTED SEEDS OR BEANS OF COFFEE, COFFEE FRUITS OR BERRIES, AND COFFEE PLANTS AND LEAVES (T. D. 50129)

TREASURY DEPARTMENT,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D. C., April 10, 1940.

To Collectors of Customs and Others Concerned:

The appended copy of B. E. P. Q. 73, Notice of Quarantine No. 73 (Coffee Quarantine), effective April 1, 1940, prohibits the importation into the Island of

Puerto Rico from all foreign countries and localities of commercial shipments of unroasted seeds or beans of coffee, coffee fruits or berries, and coffee plants and leaves, to guard against the entry of the coffee berry borer and the coffee rust.

The number of this Treasury decision should be inserted as a marginal reference opposite articles 578 (*b*) (1) and 579 (*a*), Customs Regulations of 1937.

By direction of the Commissioner:

W. R. JOHNSON,
Deputy Commissioner of Customs.

(Then follows the text of the quarantine.)

ANNOUNCEMENT RELATING TO FRUIT AND VEGETABLE QUARANTINE (NO. 56)

INSTRUCTIONS TO COLLECTORS OF CUSTOMS

PLANT QUARANTINE ACT—FRUIT AND VEGETABLE QUARANTINE—CITRUS FRUIT FROM MEXICO IN TRANSIT TO FOREIGN COUNTRIES VIA THE UNITED STATES (T. D. 50161)

TREASURY DEPARTMENT,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D. C., May 31, 1940.

To Collectors of Customs and Others Concerned:

The appended copy of B. E. P. Q. Circular No. 507, entitled "Administrative Instructions; Citrus Fruit from Mexico in Transit to Foreign Countries via the United States" issued by the Chief of the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, effective January 24, 1940, is published for the information and guidance of customs officers and others concerned. This circular supersedes P. Q. C. A. 305, Revised, which was not published as a Treasury decision.

The number of this Treasury decision should be inserted as a marginal reference opposite articles 578 (*a*) and (*b*) (1), and 579 (*a*), Customs Regulations of 1937.

By direction of the Commissioner:

W. R. JOHNSON,
Deputy Commissioner of Customs.

(Then follows the text of the circular.)

ANNOUNCEMENTS RELATING TO JAPANESE BEETLE QUARANTINE (NO. 48)

JAPANESE BEETLE QUARANTINE CONTINUED—EXTENSIONS OF AREA ANNOUNCED AS OF APRIL 5, 1940

APRIL 5, 1940.

After careful consideration of information developed at the public conference held in Washington on February 27, 1940, with respect to the Federal Japanese beetle quarantine, the Secretary of Agriculture has signed a revision of the quarantine, effective April 5. Some additional territory is being brought under the quarantine. The additions are as follows:

Maryland—All of Caroline, Harford, and Talbot Counties not heretofore under regulation; election districts Nos. 4, 7, and 10 in *Baltimore County;* the city of Westminster, and the election districts of Mount Airy (No. 13), Taneytown (No. 1), and Uniontown (No. 2), in *Carroll County*, election district of Woodville (No. 18), in *Frederick County;* election district of Funkstown (No. 10) in *Washington County;* election district of Sharptown (No. 10) in *Wicomico County.*

New York—Erwin Township in *Steuben County.*

Ohio—Entire Counties of Belmont, Guernsey, Medina, Wayne, and the townships of Kirtland, Mentor, and Willoughby, and the villages of Kirtland Hills,

Lakeline, Mentor, Mentor-on-the-Lake, Waite Hill, Wickliffe, Willoughby, and Willowick, in *Lake County*.

Pennsylvania—All of Clarion County not heretofore under regulation; the townships of Millcreek, Erie, Wayne, and the borough of Corry in Erie County, placing Erie and Corry under regulation as isolated points; all of Venango County except the townships of Allegheny, Canal, Cherrytree, Clinton, Irwin, Jackson, Mineral, Oakland, Oilcreek, Plum, Scrubgrass, and Victory, and the boroughs of Clintonville, Cooperstown, and Pleasantville.

West Virginia.—All of Brooke County and all of Jefferson County not heretofore under regulation; districts of Lubeck and Tygart in Wood County and the city of Charleston, the latter as an isolated point. Wheeling is brought within the main regulated area.

The special area from which the movement of fruits and vegetables by motortruck or refrigerator car is inspected has been extended to New York City and surrounding area and additional territory as specified in the quarantine regulations. Since the effective date of this change does not take place until later the particulars are not being included in this advance notice.

Shippers of fruits and vegetables from a designated area in southern Virginia will find that the season during which certification is required for such produce has been advanced to begin with June 1. In all other regulated areas the season remains the same as heretofore—from June 15 to October 15, inclusive.

Christmas trees and other parts of plants without roots and soil-free are exempted from the certification requirements except that the certificate is still required in shipping cut flowers from June 15 to October 15, inclusive.

It is anticipated that within a few days revised copies of Quarantine No. 48 will be available in order that you may become familiar with all provisions contained therein. This is intended to serve in the meantime for those who need this information more promptly than the full text of the quarantine as revised can be made available.

LEE A. STRONG,
Chief, Bureau of Entomology and Plant Quarantine.

JAPANESE BEETLE QUARANTINE CONTINUED

WASHINGTON, D. C., *April 5.*

Secretary of Agriculture Henry A. Wallace today signed an order calling for the continuance of the Federal Japanese beetle quarantine under the supervision of the Bureau of Entomology and Plant Quarantine. The same order enlarges the regulated area which goes under quarantine today (April 5).

At a public conference in Washington, February 27, 1940, representatives of nurserymen and plant-quarantine officials from 18 States and Canada discussed the advisability of revoking the Federal quarantine. With one exception, all favored its continuance.

Officials of the Bureau said the regulated area will be extended to include all of Caroline, Harford, and Talbot Counties, and some additional townships, Carroll, Frederick, Washington, and Wicomico Counties, and Baltimore, all in Maryland; all of Belmont, Guernsey, Medina, Wayne, and a part of Lake Counties in Ohio; all of Clarion, and parts of Venango and Erie Counties in Pennsylvania; all of Brooke and Jefferson and part of Wood Counties in West Virginia; Erwin Township in Steuben County, New York. The newly added area also includes the outlying cities of Corry and Erie, Pa., and Charleston, W. Va.

The special area from which the movement of fruits and vegetables by motortruck or refrigerator car is inspected has been extended to New York City and surrounding area including the town of Greenwich, in Fairfield County, Conn., and more area in Maryland, New Jersey, and Pennsylvania.

Shippers of fruits and vegetables from a designated area in southern Virginia will find that the season during which certification is required for such produce has been advanced to begin with June 1. In all other regulated areas the season remains the same as heretofore—from June 15 to October 15, inclusive.

Christmas trees and other parts of plants without roots and soil-free are exempted from the certification requirements except that the certificate is still required in shipping cut flowers from June 15 to October 15, inclusive.

MODIFICATIONS OF JAPANESE BEETLE QUARANTINE REGULATIONS

INTRODUCTORY NOTE

Extensions of the regulated areas in Maryland, New York, Ohio, Pennsylvania, and West Virginia are made in the following revision of regulation 3. In Maryland, the entire counties of Caroline, Harford, and Talbot are brought under regulation, and minor extensions have been made in the counties of Baltimore, Carroll, Frederick, Washington, and Wicomico. In New York, but one community is added, Erwin Township in Steuben County. The newly added Ohio area includes the entire counties of Belmont, Guernsey, Medina, Wayne, and part of Lake County. The area in Pennsylvania has been extended to all of Clarion County and parts of Venango and Erie Counties, placing Corry and Erie under regulation as isolated points. West Virginia extensions include Brooke County, the whole of Jefferson County, area in Wood County, and the city of Charleston, the latter as an isolated point. Wheeling is brought within the main regulated area.

Under regulation 5, the special area from which the movement of fruits and vegetables by motortruck or refrigerator car is regulated has been extended to New York City and surrounding area, including one town in Connecticut, as well as additional area in Maryland, New Jersey, and Pennsylvania.

The season during which fruits and vegetables are required to be certified when shipped from the regulated area remains the same as heretofore, from June 15 to October 15, except that in the case of a small area in Virginia, designated in subsection (A) of regulation 5, certification is required beginning June 1.

Certification requirements are lifted as to portions of plants without roots and free from soil, such as branches, twigs, and Christmas trees, and also as to soil-free, dried roots incapable of propagation and appropriately labeled. The certification requirements remain in effect as to cut flowers shipped from June 15 to October 15, inclusive. Plants of trailing arbutus, heretofore exempted part of the year when shipped without primary roots and soil-free, are now exempt from certification from October 16 to June 14, provided they are soil-free.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

AMENDMENT NO 2 TO THE RULES AND REGULATIONS (SEVENTEENTH REVISION) SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 48

[Approved April 4, 1940; effective April 5, 1940]

Under authority conferred by the Plant Quarantine Act of August 20, 1912 (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), it is ordered that regulations 3, 5, and 6 (secs. 301.48–3, 5, and 6) of the rules and regulations (seventeenth revision) supplemental to Notice of Quarantine No. 48 (sec. 301.48) on account of the Japanese beetle, which were promulgated February 16, 1939, as amended, are hereby further amended to read as follows:

REGULATION 3

SEC. 301.48–3. *Regulated areas.*—In accordance with the provisos to Notice of Quarantine No. 48 (twelfth revision) (sec. 301.48), the Secretary of Agriculture designates as regulated areas for the purpose of these regulations the States, District, counties, townships, towns, cities, election districts, and magisterial districts listed below, including all cities, towns, boroughs, or other political subdivisions within their limits:

Connecticut.—The entire State.

Delaware.—The entire State.

District of Columbia.—The entire District.

Maine.—County of York; towns of Auburn and Lewiston, in *Androscoggin County;* towns of Cape Elizabeth, Gorham, Gray, New Gloucester, Raymond, Scarboro, Standish, and the cities of Portland, South Portland, Westbrook, and Windham, in *Cumberland County;* the city of Waterville, in *Kennebec County;* and the city of Brewer, in *Penobscot County.*

Maryland.—Counties of Caroline, Cecil, Harford, Kent, Queen Annes, Somerset, Talbot, and Worcester; the city of Baltimore; the city of Cumberland, the

town of Frostburg, and election districts Nos. 4, 5, 6, 7, 11, 12, 14, 22, 23, 24, 26, 29, 31, and 32 in *Allegany County*; the city of Annapolis and election districts Nos. 2, 3, 4, and 5, in *Anne Arundel County*; all of *Baltimore County* except election districts Nos. 5 and 6; the city of Westminster, and the election districts of Freedom (No. 5), Hampstead (No. 8), Mount Airy (No. 13), New Windsor (No. 11), Taneytown (No. 1), Uniontown (No. 2), and Westminster (No. 7), in *Carroll County;* election districts of La Plata and White Plains, in *Charles County;* election districts of Cambridge (No. 7), East New Market (No. 2), Hurlock (No. 15), and Williamsburg (No. 12), in *Dorchester County;* election districts of Brunswick (No. 25), Buckeystown (No. 1), Frederick (No. 2), Jefferson (No. 14), New Market (No. 9), Petersville (No. 12), and Woodville (No. 18), in *Frederick County;* election districts of Elkridge (No. 1), Ellicott City (No. 2), Guilford (No. 6), and West Friendship (No. 3), in *Howard County;* election districts of Colesville (No. 5), and Rockville (No. 4), in *Montgomery County*, and those portions of the election districts of Bethesda (No. 7), and Wheaton (No. 13), in said county located within the established boundaries of the so-called Washington Suburban Sanitary District; all of *Prince Georges County* except the election districts of Aquasco (No. 8), and Nottingham (No. 4); election districts of Funkstown (No. 10), Hagerstown (Nos. 3, 17, 21, 22, 24, and 25), Halfway (No. 26), Leitersburg (No. 9), Sandy Hook (No. 11), Sharpsburg (No. 1), and Williamsport (No. 2), in *Washington County*; election districts of Camden (No. 13), Delmar (No. 11), Dennis (No. 6), Fruitland (No. 16), Nutters (No. 8), Parsons (No. 5), Pittsburg (No. 4), Salisbury (No. 9), and the town of Salisbury, Sharptown (No. 10), Trappe (No. 7), and Willards (No. 14), in *Wicomico County.*

Massachusetts.—The entire State.

New Hampshire.—Counties of Belknap, Cheshire, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan; towns of Brookfield, Eaton, Effingham, Freedom, Madison, Moultonboro, Ossipee, Sandwich, Tamworth, Tuftonboro, Wakefield, and Wolfeboro, in *Carroll County;* towns of Alexandria, Ashland, Bridgewater, Bristol, Canaan, Dorchester, Enfield, Grafton, Groton, Hanover, Hebron, Holderness, Lebanon, Lyme, Orange, and Plymouth, in *Grafton County.*

New Jersey.—The entire State.

New York.—Counties of Albany, Bronx, Broome, Chemung, Chenango, Columbia, Cortland, Delaware, Dutchess, Fulton, Greene, Kings, Madison, Montgomery, Nassau, New York, Oneida, Onondaga, Orange, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Tioga, Ulster, Washington, and Westchester; towns of Red House and Salamanca, and the city of Salamanca, in *Cattaraugus County;* towns of Amherst, Cheektowaga, and Tonawanda, and the cities of Buffalo and Lackawanna, in *Erie County;* towns of Columbia, Danube, Fairfield, Frankfort, German Flats, Herkimer, Litchfield, Little Falls, Manheim, Newport, Salisbury, Schuyler, Stark, Warren, and Winfield, and the city of Little Falls, in *Herkimer County;* town of Watertown and city of Watertown, in *Jefferson County;* town of Mount Morris and village of Mount Morris, in *Livingston County;* city of Rochester and town of Brighton, in *Monroe County;* towns of Catherine, Cayuta, Dix, Hector, Montour, and Reading, and the borough of Watkins Glen, in *Schuyler County;* towns of Caton, Corning, Erwin, Hornby, and Hornellsville, and the cities of Corning and Hornell, in *Steuben County;* towns of Caroline, Danby, Dryden, Enfield, Ithaca, Newfield, and the city of Ithaca, in *Tompkins County;* towns of Luzerne and Queensbury and the city of Glens Falls, in *Warren County.*

Ohio.—Counties of Belmont, Carroll, Columbiana, Cuyahoga, Guernsey, Harrison, Jefferson, Mahoning, Medina, Portage, Stark, Summit, Tuscarawas, and Wayne; the city of Coshocton, in *Coshocton County;* the city of Columbus, and villages of Bexley, Grandview, Grandview Heights, Hanford, Marble Cliff, and Upper Arlington, in *Franklin County;* townships of Kirtland, Mentor, and Willoughby, and the villages of Kirtland Hills, Lakeline, Mentor, Mentor-on-the-Lake, Waite Hill, Wickliffe, Willoughby, and Willowick, in *Lake County;* the township of Newark and city of Newark, in *Licking County;* the city of Toledo, in *Lucas County;* the township of Madison and the city of Mansfield, in *Richland County;* townships of Bazetta, Braceville, Brookfield, Champion, Fowler, Hartford, Howland, Hubbard, Liberty, Lordstown, Newton, Southington, Warren, Weathersfield, and Vienna, the cities of Niles and Warren, and the villages of Cortland, Girard, Hubbard, McDonald, Newton Falls, and Orangeville, in *Trumbull County.*

Pennsylvania.—The entire State, except Crawford and Forest Counties; Mercer Township in *Butler County;* townships of Amity, Concord, Conneaut, Elk Creek, Fairview, Franklin, Girard, Greene, Greenfield, Harborcreek, Le Boeuf, McKean, North East, Springfield, Summit, Union, Venango, Washington, and Waterford, and the boroughs of Albion, Cranesville, East Springfield, Edinboro, Elgin, Fairview, Girard, Lawrence Park, Middleboro, Mill Village, North East, North Girard, Platea, Union City, Waterford, Wattsburg, and Wesleyville, in *Erie County;* townships of Coolspring, Deer Creek, Delaware, East Lackawannock, Fairview, Findley, French Creek, Greene, Hempfield, Jackson, Jefferson, Lackawannock, Lake, Liberty, Mill Creek, New Vernon, Otter Creek, Perry, Pine, Pymatuning, Salem, Sandy Creek, Sandy Lake, South Pymatuning, Springfield, Sugar Grove, West Salem, Wilmington, Wolf Creek, and Worth, and the boroughs of Clarksville, Fredonia, Greenville, Grove City, Jackson Center, Jamestown, Mercer, New Lebanon, Sandy Lake, Sheakleyville, and Stoneboro, in *Mercer County;* townships of Allegheny, Canal, Cherrytree, Clinton, Irwin, Jackson, Mineral, Oakland, Oilcreek, Plum, Scrubgrass, and Victory, and the boroughs of Clintonville, Cooperstown, and Pleasantville, in *Venango County;* and the townships of Brokenstraw, Cherry Grove, Columbus, Conewango, Deerfield, Eldred, Farmington, Freehold, Limestone, Pine Grove, Pittsfield, Pleasant, Southwest, Spring Creek, Sugar Grove, Triumph, Watson (including the boroughs of Bear Lake, Grand Valley, Sugar Grove, Tidioute, and Youngsville), in *Warren County.*

Rhode Island.—The entire State.

Vermont.—Counties of Bennington, Rutland, Windham, and Windsor; and the town of Burlington, in *Chittenden County.*

Virginia.—Counties of Accomac, Arlington, Culpeper, Elizabeth City, Fairfax, Fauquier, Henrico, Loudoun, Norfolk, Northampton, Prince William, Princess Anne, and Stafford; magisterial districts of Dale and Manchester, in *Chesterfield County;* magisterial district of Sleepy Hole, in *Nansemond County;* magisterial district of Courtland, in *Spotsylvania County;* Camp Stuart, in *Warwick County;* magisterial district of Washington, in *Westmoreland County;* and the cities of Alexandria, Fredericksburg, Hampton, Newport News, Norfolk, Portsmouth, Richmond, South Norfolk, and Suffolk.

West Virginia.—Counties of Brooke, Hancock, Harrison, Jefferson, Marion, Monongalia, and Taylor; districts of Arden, Falling Waters, Hedgesville, and Opequon, and the city of Martinsburg, in *Berkeley County;* the city of Charleston in *Kanawha County;* town of Keyser and district of Frankfort, in *Mineral County;* the city of Wheeling, in *Ohio County;* and the city of Parkersburg, and districts of Lubeck and Tygart, in *Wood County.*[1]

Regulation 5

Sec. 301.48–5. *Restrictions on the movement of fruits and vegetables.—A. Control of movement.*—(1) Unless a certificate or permit shall have been issued therefor, by an inspector, except as provided in paragraphs (*a*) to (*e*), inclusive, of this regulation: (*i*) No green corn on the cob, beans in the pod, bananas, apples, peaches, blackberries, blueberries, huckleberries, or raspberries shall be moved or allowed to be moved interstate from any regulated area to or through any point outside thereof; and (*ii*) no fruits or vegetables of any kind shall be moved or allowed to be moved interstate via refrigerator car or motortruck from the State, District, counties, election districts, townships, towns, or cities listed below to or through any point outside the regulated areas.

Connecticut.—Town of Greenwich in Fairfield County.

Delaware.—The entire State.

District of Columbia.—The entire District.

Maryland.—Counties of Cecil, Harford, Kent, Queen Annes, Somerset, and Worcester; election district No. 5 in *Anne Arundel County;* the city of Baltimore; all of *Baltimore County* except election districts Nos. 4, 5, 6, 7, 8, and 10; all of *Caroline County* except election districts of American Corners (No. 8), and Hillsboro (No. 6); election districts of Cambridge (No. 7), East New Market (No. 2), Hurlock (No. 15), and Williamsburg (No. 12), in *Dorchester County;* election districts of Camden (No. 13), Delmar (No. 11), Dennis (No. 6), Fruitland (No. 16), Nutters (No. 8), Parsons (No. 5), Pittsburg (No. 4), Salisbury (No. 9), and the town of Salisbury, Trappe (No. 7), and Willard (No. 14), in *Wicomico County.*

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[1] Secs. 301.48–3, 5, 6, 7, and 9 issued under authority of sec. 8, 37 Stat. 318; 39 Stat. 1165; 44 Stat. 250; 7 U. S. C. 161.

New Jersey.—Counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Salem, Somerset, and Union; townships of Lodi, Lyndhurst, Overpeck, Rochelle Park, Saddle River, and Teaneck, the cities of Englewood, Garfield and Hackensack, and the boroughs of Bogota, Carlstadt, Cliffside Park, East Paterson, East Rutherford, Edgewater, Englewood Cliffs, Fair Lawn, Fairview, Fort Lee, Glen Rock, Hasbrouck Heights, Leonia, Little Ferry, Lodi, Maywood, Moonachie, North Arlington, Palisades Park, Ridgefield, Rutherford, Teterboro, Wallington, and Wood Ridge, in *Bergen County;* townships of Chatham, Chester, Denville, East Hanover, Hanover, Harding, Mendham, Morris, Morristown, Parsipany-Troy Hills, Passaic, Randolph, and Washington, and the boroughs of Chatham, Florham Park, Madison, Mendham, and Morris Plains, in *Morris County;* township of Little Falls, the cities of Clifton, Passaic, Paterson, and the boroughs of Haledon, Hawthorne, North Haledon, Prospect Park, Totowa, and West Paterson, in *Passaic County;* townships of Franklin, Greenwich, Lopatcong, Mansfield, Phillipsburg, Pohatcong, and Washington, and the boroughs of Alpha and Washington, in *Warren County.*

New York.—Counties of Bronx, Kings, New York, Queens, and Richmond; town of North Hempstead, in *Nassau County;* towns of Eastchester, Harrison, Mamaroneck, Pelham, Rye, and Scarsdale, and the cities of Mount Vernon, New Rochelle, White Plains, and Yonkers, in *Westchester County.*

Pennsylvania.—Counties of Bucks, Chester, Delaware, Lancaster, Montgomery, and Philadelphia; townships of Alsace, Amity, Bern, Brecknock, Caernarvon, Colebrookdale, Cumru, District, Douglass, Earl, Exeter, Hereford, Lower Alsace, Maidencreek, Muhlenberg, Oley, Ontelaunee, Pike, Robeson, Rockland, Ruscombmanor, South Heidelberg, Spring, Union, and Washington, the city of Reading, and the boroughs of Bally, Bechtelsville, Birdsboro, Boyertown, Mohnton, Mount Penn, Saint Lawrence, Shillington, Sinking Spring, Temple, West Lawn, West Reading, Wyomissing, and Wyomissing Hills, in *Berks County;* townships of Londonderry, Lower Paxton, Lower Swatara, Susquehanna, and Swatara, the city of Harrisburg, and the boroughs of Highspire, Middletown, Paxtang, Penbrook, Royalton, and Steelton, in *Dauphin County;* townships of Lower Macungie, Lower Milford, Upper Milford, and Upper Saucon, and the boroughs of Coopersburg, and Emaus, in *Lehigh County;* townships of Lower Saucon and Williams, in *Northampton County;* townships of Lower Chanceford and Peach Bottom, in *York County.*

Virginia.—Counties of Accomac, Arlington, and Northampton.

Provided, That the Chief of the Bureau of Entomology and Plant Quarantine may by administrative instructions extend or reduce the areas specified in this regulation when in his judgment such action is considered advisable.

(*a*) No restrictions are placed on the interstate movement of fruits and vegetables between October 16 and June 14, inclusive, except that in the case of movement interstate from the following areas, the exemption applies only during the period from October 16 to May 31, inclusive:

Virginia.—The counties of Accomac, Elizabeth City, Norfolk, Northampton, and Princess Anne; the magisterial district of Sleepy Hole, in *Nansemond County,* Camp Stuart in *Warwick County,* and the cities of Hampton, Newport News, Norfolk, Portsmouth, South Norfolk, and Suffolk.

(*b*) No certificate or permit will be required for the interstate movement of fruits and vegetables when transported by a common carrier on a through bill of lading either from an area not under regulation through a regulated area to another nonregulated area, or from a regulated area through a nonregulated area to another regulated area, except that a certificate is required for interstate movement from the main regulated area to the following-named isolated points: Brewer and Waterville, Maine; Brighton, Buffalo, Hornell, Mount Morris, Rochester, and Watertown, and the town of Hornellsville, Steuben County, N. Y., or to other regulated parts of Erie, Jefferson, and Livingston Counties, N. Y.; Columbus, Coshocton, Mansfield, Newark, and Toledo, Ohio, or to other regulated parts of Licking and Richland Counties, Ohio; Corry and Erie, Pa.; Burlington, Vt.; and Charleston and Parkersburg, W. Va. No restrictions are placed on the interstate movement of fruits and vegetables from the above-named isolated points.

(*c*) No restrictions are placed on the interstate movement of fruits and vegetables when they shall have been manufactured or processed in such a manner that in the judgment of the inspector no infestation could be transmitted.

(*d*) No restrictions are placed on the interstate movement of any shipments of (*1*) apples or peaches of less than 15 pounds to the shipment; (*2*) bananas in single bunches packed in commercial containers; or (*3*) bananas singly, or in individual hands.

(*e*) No restrictions are placed on the interestate movement of commercially packed apples or commercially packed peaches in any quantity, except those moving via refrigerator cars or motortrucks from the area listed in paragraph (1) of this regulation.

(2) No restrictions are placed on the interstate shipment from the regulated areas of fruits and vegetables other than those mentioned above except that any such interstate shipments of fruits and vegetables may be inspected at any time or place inside or outside the regulated areas and when actually found to involve danger of dissemination of Japanese beetle to uninfested localities, measures to eliminate infestation may be required as a condition of further transportation or delivery.

B. Conditions of certification.—Certificates may be issued for the interstate movement of fruits and vegetables between June 15 and October 15, inclusive (or between June 1 and October 15, inclusive, when consigned from that part of Virginia described in paragraph (*a*) of this regulation) under one of the following conditions:

(3) When the fruits and vegetables, moving from a point in the regulated area other than that specified in paragraph (1) of this regulation, or moving from such designated area other than by refrigerator car, have actually been inspected by the United States Department of Agriculture and found free from infestation. The number of inspection points for such certification will be limited and their location determined by shipping needs and further conditioned on the establishment at such points of provisions satisfactory to the inspector for the handling and safeguarding of such shipments during inspection. Such inspection may be discontinued and certification withheld by the inspector during periods of general or unusual flight of the beetles.

(4) When the fruits and vegetables have been handled or treated under the observation of an inspector in manner and by method to free them from any infestation.

(5) When the fruits and vegetables have originated outside of the regulated areas and are to be reshipped directly from freight yards, transfer points, or unloading docks within such areas, under provisions satisfactory to the inspector for safeguarding of such shipments pending certification and reshipment. Certificates on this basis will be issued without inspection only in cases where, in the judgment of the inspector, the shipments concerned have not been exposed to infestation while within such freight yards, transfer points, or unloading docks.

(6) When the fruits and vegetables were grown in districts where the fact has been established to the satisfaction of the inspector that no infestation exists and are to be shipped directly from the farms where grown to points outside the regulated areas, or are shipped from infested districts where the fact has been established to the satisfaction of the inspector that the Japanese beetle has not begun or has ceased its flight.

(7) When the fruits and vegetables moving via refrigerator car from the area listed in paragraph (1) of this regulation have been inspected and loaded in a manner to prevent infestation, in a refrigerator car with closed or adequately screened doors and hatches, which car prior to loading has been determined by an inspector as fumigated or thoroughly swept and cleaned by the common carrier in a manner to rid it of infestation. During the interval between fumigation or cleaning and loading such refrigerator car must be tightly closed and sealed.

(8) When the fruits and vegetables moving via refrigerator car from the area listed in this regulation have been fumigated in the car, when deemed necessary in the judgment of the inspector and when the doors and hatches of the car have been tightly closed or adequately screened under the supervision of an inspector.[2]

Regulation 6

Sec. 301.48–6. *Restrictions on the movement of nursery and ornamental stock.*—*A. Control of movement.*—Nursery and ornamental stock as defined in

[2] See footnote 1, p. 44.

regulation 1 (sec. 301.48–1) shall not be moved or allowed to be moved interstate from the regulated areas to or through any point outside thereof, unless a certificate or permit shall have been issued therefor by the inspector except as follows:

(1) The following articles, because of their growth or production, or their manufactured or processed condition, are considered innocuous as carriers of infestation and are therefore exempt from the requirements of certification:

(*a*) (*i*) True bulbs, corms, and tubers, when dormant, except for storage growth, and when free from soil, and (*ii*) single dahlia tubers or small dahlia root divisions when free from stems, cavities, and soil. Dahlia tubers, other than single tubers or small root divisions meeting these conditions, require certification.

(*b*) (*i*) Cut orchids, (*ii*) orchid plants, when growing exclusively in Osmunda fiber, (*iii*) Osmunda fiber, Osmundine, or orchid peat (*Osmunda cinnamomea*, and *O. claytoniana*.)

(*c*) (*i*) Floral designs or "set pieces," including wreaths, sprays, casket covers, and all formal florists' designs; bouquets and cut flowers not so prepared are not exempted; (*ii*) trailing arbutus, or Mayflower (*Epigaea repens*), when free from soil, and when shipped during the period between October 16 and June 14, inclusive.

(*d*) (*i*) Herbarium specimens, when dried, pressed, and treated, and when so labeled on the outside of each container of such materials, (*ii*) mushroom spawn, in brick, flake, or pure culture form.

(*e*) (*i*) Sheet moss (*Calliergon schriberi* and *Thuridium recognitum*), (*ii*) resurrection plant or birds'-nest moss (*Selaginella lepidophylla*), (*iii*) sphagnum moss, bog moss, or peat moss (Sphagnacea), (*iv*) dyed moss, when heat treated and appropriately labeled.

(*f*) Soil-free, dried roots incapable of propagation, when appropriately labeled.

(2) No restrictions are placed on the interstate movement of nursery and ornamental stock imported from foreign countries when reshipped from the port of entry in the unopened original container and labeled as to each container with a copy certificate of the country from which it was exported, a statement of the general nature and quantity of the contents, the name and address of the consignee, and the country and locality where grown.

(3) No restrictions are placed on the interstate movement of soil-free aquatic plants, and of portions of plants without roots and free from soil, except that a certificate is required for the movement of cut flowers during the period June 15 to October 15, inclusive.

(4) No certificate or permit will be required for the interstate movement of nursery and ornamental stock when transported by a common carrier on a through bill of lading either from an area not under regulation through a regulated area, or from a regulated area through a nonregulated area to another regulated area, except that a certificate is required between June 15 and October 15 for interstate movement of cut flowers from the main regulated areas to the following-named isolated points: Brewer and Waterville, Maine; Brighton, Buffalo, Hornell, Mount Morris, Rochester, and Watertown, and the town of Hornellsville, Steuben County, N. Y., or to other regulated parts of Erie, Jefferson, and Livingston Counties, N. Y.; Columbus, Coshocton, Mansfield, Newark, and Toledo, Ohio, or to other regulated parts of Licking and Richland Counties, Ohio; Corry and Erie, Pa.; Burlington, Vt.; and Charleston and Parkersburg, W. Va. No restrictions are placed on the interstate movement of cut flowers from the above-named isolated points.

B. Conditions governing the issuance of certificates and permits.—For the purpose of certification of nursery and ornamental stock, nurseries, greenhouses, and other premises concerned in the movement of such stock will be classified as follows:

(5) *Class I.*—Nurseries, greenhouses, and other premises concerned in the movement of nursery and ornamental stock on or within approximately 500 feet of which no infestation has been found may be classified as class I. Upon compliance with the requirements of paragraph (11) of this regulation, nursery and ornamental stock may be certified by the inspector for shipment from such premises without further inspection, and without meeting the safeguards prescribed as a condition of interstate shipment of plants originating in nurseries or greenhouses of class III.

(6) *Class III.*—(*a*) Nurseries, greenhouses, and other premises concerned in the movement of nursery and ornamental stock on which either grubs in the soil or one or more beetles have been found, will be classified as class III, *provided*, (*i*) there are maintained on the premises subdivided class I areas, certified houses, frames, or plots or other certified areas, or (*ii*) there is a legitimate need for interstate or intradealer certification of such stock. Such classification will not be granted to nurseries, greenhouses, and other premises that do not maintain certified or subdivided areas and require only infrequent certification. Such classification also may be given to nurseries, etc., where one or more beetles or grubs are found in the immediate proximity (within approximately 500 feet) of such nurseries, etc., on adjacent property or properties. In the case of nursery properties under single ownership and management but represented by parcels of land widely separated, such parcels may be independently classified either as class I or class III upon compliance with such conditions and safeguards as shall be required by the inspector. Similarly, unit nursery properties, which would otherwise fall in class III, may be open to subdivision, for the purpose of rating such subdivisions in class I or III, when in the judgment of the inspector such action is warranted by recent and scanty infestation limited to a portion of the nursery concerned: *Provided*, That the subdivision containing the infestation shall be clearly marked by boundaries of a permanent nature which shall be approximately 500 feet beyond the point where the infestation occurs.

(*b*) Upon compliance with paragraphs (7), (10), and (11) of this regulation, nursery and ornamental stock may be certified by the inspector for shipment from such premises under any one of the following conditions: (*i*) That the roots shall be treated by means approved by the Bureau of Entomology and Plant Quarantine in manner and by method satisfactory to the inspector; or (*ii*) in the case of plants in which the root system is such that a thorough inspection may be made, that the soil shall be entirely removed from the stock by shaking or washing; or (*iii*) that it shall be shown by evidence satisfactory to the inspector that the plants concerned were produced in a certified greenhouse.

(7) Greenhouses of Class III may be certified upon compliance with all the following conditions with respect to the greenhouses themselves and to all potting beds, heeling-in areas, hotbeds, coldframes, and similar plots:

(*a*) Ventilators, doors, and all other openings in greenhouses or coldframes on premises in class III shall be kept screened in manner satisfactory to the inspector during the period of flight of the beetle, namely, south of the northern boundaries of Maryland and Delaware between June 1 and October 1, inclusive, or north thereof between June 15 and October 15, inclusive.

(*b*) Prior to introduction into nurseries or greenhouses, sand, if contaminated with vegetable matter, soil, earth, peat, compost, or manure taken from infested locations or which may have been exposed to infestation, must be sterilized or fumigated under the direction and supervision of, and in manner and by method satisfactory to the inspector. If such sand, soil, earth, peat, compost, or manure is not to be immediately used in such greenhouses, it must be protected from possible infestation in manner and by method satisfactory to the inspector.

(*c*) All potted plants placed in certified greenhouses of class III and all potted plants to be certified for interstate movement therefrom (*i*) shall be potted in certified soil; (*ii*) shall, if grown outdoors south of the northern boundaries of Maryland and Delaware at any time between June 1 and October 1, inclusive, or north thereof at any time between June 15 and October 15, inclusive, be kept in screened frames while outdoors; (*iii*) shall, if grown outdoors during any part of the year, be placed in beds in which the soil or other material shall have been treated in manner and by method approved by the Bureau of Entomology and Plant Quarantine to eliminate infestation; and (*iv*) shall comply with such other safeguards as may be required by the inspector.

(8) Cut flowers may be certified for movement either (*a*) when they have been inspected by an inspector and found free from infestation, or (*b*) when they have been grown in a greenhouse of class I or in a certified greenhouse of class III and are transported under such safeguards as will in the judgment of the inspector prevent infestation. (See also paragraph (3) of this regulation.)

(9) Nursery and ornamental stock originating on or moved from unclassified premises may be certified by the inspector under either one of the follow-

ing conditions: (*a*) That the soil shall be entirely removed from the stock, or (*b*) that the roots shall be treated by means aproved by the Bureau of Entomoloy and Plant Quarantine in manner and by method satisfactory to the inspector, or (*c*) that it shall be shown by evidence satisfactory to the inspector that the accompanying soil was obtained at such points and under such conditions that in his judgment no infestation could exist therein.

(10) Nurserymen, florists, dealers, and others, in order to maintain a class III status shall report immediately on forms provided for that purpose all their sales or shipments of nursery and ornamental stock, sand, if contaminated with vegetable matter, soil, earth, peat, compost, and manure both to points outside the regulated areas and to other classified nurseries or greenhouses within the regulated area. Certification may be denied to any person who has omitted to make the report required by this regulation, and such denial of certification shall continue until the information so omitted has been supplied.

(11) Nurserymen, florists, dealers, and others, in order to maintain a class I status, or to maintain, in a class III establishment, a class I subdivision, a certified plot, or a certified greenhouse, (*a*) shall restrict their purchases or receipts of nursery and ornamental stock, sand, if contaminated with vegetable matter, soil, earth, peat, compost, and manure, secured within the regulated area and intended for use on class I or certified premises, to articles which have been certified under these regulations as to each such article and the said certificate shall accompany the article when moved; (*b*) shall obtain approval of the inspector before such articles are received on class I or certified premises or are taken into certified greenhouses; (*c*) shall report immediately in writing all purchases or receipts of such articles secured from within the regulated area for use on such premises; and (*d*) shall also report immediately on forms provided for that purpose all their sales or shipments of such articles both to points outside the regulated areas and to other classified nurseries or greenhouses within the regulated areas. Certification may be denied to any person who has omitted to make the report or reports required by this regulation, and such denial of certification shall continue until the information so omitted has been supplied.

(12) Nursery and ornamental stock imported from foreign countries and not reshipped from the port of entry in the unopened original container may be certified for movement under these regulations when such stock has been inspected by an inspector and found free from infestation.

(13) Nursery and ornamental stock originating outside the regulated areas and certified stock originating in classified nurseries or greenhouses may be certified for reshipment from premises other than those on which they originated, under provisions satisfactory to the inspector for the safeguarding of such stock from infestation at the point of reshipment and en route and when found advisable by the inspector, after reinspection and determination of freedom from infestation.[3]

Regulation 7

Sec. 301.48–7. *Restrictions on the movement of sand, soil, earth, peat, compost, and manure.—A. Control of movement.*—Sand, soil, earth, peat, compost, and manure shall not be moved or allowed to be moved interstate from any point in the regulated areas to or through any point outside thereof unless a certificate or permit shall have been issued therefor by the inspector, except as follows:

(1) No restrictions are placed on the interstate movement of (*a*) sand and clay when free from vegetable matter; (*b*) greensand marl; and (*c*) such other sands and clays as have been treated or processed and subsequently handled in such manner that in the judgment of the inspector no Japanese beetle could exist therein, provided that each container of such article shall be labeled on the outside thereof as to nature of contents, except that in the case of bulk shipments such label shall accompany the waybill or other shipping papers.

(2) No restrictions are placed on the *interstate movement of manure, peat, compost, or humus* (*a*) *when dehydrated and either shredded, ground, pulverized, or compressed,* or (*b*) *when treated with crude petroleum or any other*

[3] See footnote 1, p. 44.

product having high potency as an insecticide, and when so labeled on the outside of each commercial container of such materials.

(3) No restrictions are placed on the interstate movement of sand, soil, earth, peat, compost, and manure imported from foreign countries when reshipped from the port of entry in the unopened original container and labeled as to each container with the country of origin, and when the shipment is further protected in manner or method satisfactory to the inspector.

(4) No certificate will be required for the interstate movement of sand, soil, earth, peat, compost, and manure when transported by a common carrier on a through bill of lading either from an area not under regulation through a regulated area, or from a regulated area through a nonregulated area to another regulated area.

B. Conditions of certification.—Certificates for the movement of restricted sand, soil, earth, peat, compost, and manure may be issued under any one of the following conditions:

(5) When the articles to be moved have originated in districts included in the regulated area, but in which neither beetles nor grubs in soil have been found.

(6) When the material consists of fresh manure or of mined, dredged, or other similar materials, and it has been determined by an inspector that no infestation could exist therein.

(7) When the material has been removed, under the supervision of an inspector, from a depth of more than 12 inches below the surface of the ground and either (*a*) is to be moved between October 16 and June 14, inclusive, or (*b*) is loaded and shipped at points where it has been determined by an inspector that no general infestation of adult beetles exists, or (*c*) when the cars and loading operations are protected by screening under the direction of and in manner and by method satisfactory to the inspector.

(8) When the material has been fumigated with carbon disulphide or otherwise treated under the supervision of and in manner and by method satisfactory to the inspector. Such fumigation or treatment will be required as a condition of certification of all restricted sand, soil, earth, peat, compost, and manure, except such as is loaded and shipped in compliance with paragraphs (5), (6), or (7) hereof.[4]

Regulation 9

Sec. 301.48–9. *Marking and certification a condition of interstate transportation.*—(*a*) Every box, basket, or other container of restricted articles listed in regulations 5, 6, and 7 (secs. 301.48–5, 6, and 7) shall be plainly marked with the name and address of the consignor and the name and address of the consignee, and shall have securely attached to the outside thereof a valid certificate or permit issued in compliance with these regulations. In the case of lot shipments by freight, one certificate attached to one of the containers and another certificate attached to the waybill will be sufficient.

(*b*) In the case of bulk carload shipments by rail, the certificate shall accompany the waybill, conductor's manifest, memorandum, or bill of lading pertaining to such shipment, and in addition each car shall have securely attached to the outside thereof a placard showing the number of the certificate or certificates accompanying the waybill.

(*c*) In the case of shipment by road vehicle, the certificates shall accompany the vehicle.

(*d*) Certificates shall be surrendered to the consignee upon delivery of the shipment.[4]

This amendment supersedes amendment No. 1, promulgated June 22, 1939, and shall be effective on and after April 5, 1940.

Done at the city of Washington this 4th day of April 1940.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL]

Henry A. Wallace,
Secretary of Agriculture.

[Copies of foregoing amendment were sent to all common carriers doing business in or through the quarantined area.]

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[4] See footnote 1, p. 44.

Notice to General Public Through Newspapers

United States Department of Agriculture,
Washington, D. C., April 4, 1940.

Notice is hereby given that the Secretary of Agriculture, under authority conferred on him by the Plant Quarantine Act of August 20, 1912 (37 Stat. 315), as amended, has promulgated Amendment No. 2 to the revised regulations supplemental to the Japanese beetle quarantine (Notice of Quarantine No. 48), effective on and after April 5, 1940. The purpose of the amendment is principally to bring under regulation considerable additional area in Maryland and Ohio, nominal extensions in Pennsylvania and West Virginia, and one more township (Erwin) in Steuben County, N. Y. The area from which the movement of fruits and vegetables by motortruck or refrigerator car is regulated has been extended to New York City and surrounding area including the town of Greenwich, in Fairfield County, Conn., and also area in Maryland, New Jersey, and Pennsylvania. Fruits and vegetables shipped during the period from June 15 to October 15, inclusive, are required to be certified, as heretofore, and, when shipped from a designated area in southern Virginia, certification is advanced to cover the period from June 1 to October 15, inclusive. Minor modifications have been made in the certification requirements for plants shipped from the regulated areas.

H. A. Wallace,
Secretary of Agriculture.

[Published in the following newspapers: The Times, Hartford, Conn., April 18, 1940; the Journal-Every Evening, Wilmington, Del., April 18, 1940; the Press-Herald, Portland, Maine, April 19, 1940; the Sun, Baltimore, Md., April 19, 1940; the Post, Boston, Mass., April 19, 1940; the Union-Leader, Manchester, N. H., April 19, 1940; the News, Newark, N. J., April 19, 1940; the Times, New York, N. Y., April 19, 1940; the Press, Cleveland, Ohio, April 19, 1940; the Bulletin, Philadelphia, Pa., April 18, 1940; the Bulletin, Providence, R. I., April 18, 1940; the Free Press, Burlington, Vt., April 19, 1940; the News Leader, Richmond, Va., April 18, 1940; the Gazette, Charleston, W. Va., April 19, 1940; and the Evening Star, Washington, D. C., April 19, 1940.]

B. E. P. Q. 394, revised.

List of True Bulbs, Corms, and Tubers Exempted from Japanese Beetle Certification

May 5, 1940.

Under regulation 6. A (1), of quarantine No. 48 (Sec. 301.48-6), true bulbs, corms, and tubers are exempted from Japanese beetle certification when dormant, except for storage growth, and when free from soil. The exemption includes single dahlia tubers or small dahlia root divisions when free from stems, cavities, and soil. Dahlia tubers, other than single tubers meeting these conditions, require certification.

The following list of bulbs, corms, and tubers, issued for the information of inspectors of the Bureau and for the use of shippers within the regulated areas, is revised to include *Gloriosa rothschildiana* and two species of *Corydalis*, and to list the species of bulbous *Anemone*.

The key letter in parentheses before each name indicates whether the variety in question is a true bulb, corm, or tuber, (B) standing for true bulb, (C) for corm, and (T) for tuber. Plant roots of a bulbous nature not given on this list are, in most cases, fleshy rhizomes, and are therefore not exempt from certification. (C) *Acidanthera*, (T) *Alstroemeria*, (B) *Amaryllis*, (C) *Amorphophallus* (devilstongue), (B) *Anemone nemorosa*, *A. ranunculoides*, *A. trifolia*, (C) *Antholyza*, (C) *Babiana*, (T) *Begonia* (tuberous-rooted), (T) *Boussingaultia* (Madeira vine), (C) *Brodiaea*, (B) *Bulbocodium*, (C) *Calochortus* (Mariposa lily or glove-tulip), (B) *Camassia* (wild hyacinth), (B) *Chionodoxa* (glory-of-the-snow), (B) *Colchicum* (autumn-crocus), (T) *Colocasia* (*Caladium esculentum* and fancy-leaved varieties), (B) *Cooperia* (evening-star and rainlily), (B) *Corydalis bulbosa*, *C. tuberosa*, (B) *Crinum*, (C) *Crocus*, (C) *Cyclamen*, (T) *Dahlia* (see statement in introductory paragraph), (C) *Dierama*, (T) *Dioscorea batatas* (cinnamon-vine), (T) *Eranthis* (winter-aconite), (B) *Erythronium* (troutlily or dog-tooth violet), (B) *Eucharis* (Amazonlily), (C) *Freesia*, (B) *Fritillaria* (fritillary), (B) *Galanthus* (snowdrop), (B) *Galtonia* (*Hyacinthus candicans*) (summer hyacinth), (C) *Gladiolus*, (T)

Gloriosa rothschildiana, (T) *Gloxinia* (see *Sinningia*), (B) *Hippeastrum* (house-amaryllis), (B) *Hyacinthus* (hyacinth, Dutch and Roman), (B) *Hymenocallis* (spiderlily), (B) *Iris*, bulbous (Dutch, Spanish, and English), (B) *Ismene* (See *Hymenocallis*), (B) *Ixia*, (B) *Ixiolirion*, (B) *Lachenalia* (Capecowslip), (B) *Lapeyrousia* (*Anomatheca*), (B) *Leucojum* (snowflake), (B) *Lilium* (lily bulbs, imported and domestic), (B) *Lycoris* (cluster-amaryllis), (B) *Milla* (Mexican-star), (B) *Muscari* (grape and feathered hyacinths), (B) *Narcissus* (daffodil, jonquil), (B) *Nerine*, (B) *Ornithogalum* (Star-of-Bethlehem), (B) *Oxalis*, (B) *Pancratium*, (B) *Polianthes* (tuberose), (B) *Puschkinia*, (T) *Ranunculus*, (B) *Scilla* (squill, star-hyacinth), (T) *Sinningia speciosa* (*Gloxinia*), (C) *Sparaxis* (wandflower), (B) *Sprekelia* (St. Jameslily), (B) *Sternbergia*, (B) *Tigridia* (tigerflower or shellflower), (C) *Tritonia* (*Montbretia*), (B) *Tulipa* (tulip), (B) *Vallota* (Scarboro-lily), (B) *Watsonia* (buglelily), (T) *Zantedeschia* (*Richardia*) (calla, white, yellow, spotted; arumlily), and (B) *Zephyranthes* (zephyrlily).

LEE A. STRONG,
Chief, Bureau of Entomology and Plant Quarantine.

QUARANTINE RESTRICTIONS ON JAPANESE BEETLE MODIFIED

MAY 25, 1940.

The Department of Agriculture today announced the removal, May 27, 1940, of all restrictions under the Japanese beetle quarantine regulations on the interstate movement of fruits and vegetables, except by refrigerator car and motor-truck from the areas of heavy beetle flight. The Department will discontinue, temporarily at least, much of its inspection at highway stations of passenger vehicles that may be carrying fruits and vegetables in small lots. It will continue to require certificates of freedom from beetles for all refrigerator car and motor-truck shipments of fruits and vegetables moving out from the areas of heavy beetle flight.

It has been possible to remove these restrictions under the Japanese beetle quarantine regulations because the chances of spreading an infestation from small, noncommercial shipments of fruits and vegetables seem remote at this time, according to Lee A. Strong, Chief of the Bureau of Entomology and Plant Quarantine. The Department still has authority to inspect, at any point, any shipment or vehicle that might spread the beetle from infested to noninfested territory.

The areas of heavy Japanese beetle flight are:

Connecticut—Town of Greenwich in Fairfield County.

Delaware—The entire State.

District of Columbia—The entire District.

Maryland.—Cecil, Harford, Kent, Queen Annes, Somerset, and Worcester Counties, the city of Baltimore, most of Baltimore and Caroline Counties, and parts of Anne Arundel, Dorchester, and Wicomico Counties.

New Jersey—Atlantic, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Salem, Somerset, and Union Counties, large parts of Bergen, Morris, and Passaic Counties, and part of Warren County.

New York—Bronx, Kings, New York, Queens, and Richmond Counties, and a few towns and cities in Nassau and Westchester Counties.

Pennsylvania—Bucks, Chester, Delaware, Lancaster, Montgomery, and Philadelphia Counties, many towns and cities in Berks and Dauphin Counties and several in Lehigh, Northampton, and York Counties.

Virginia—Accomac, Arlington, and Northampton Counties.

MODIFICATIONS OF JAPANESE BEETLE QUARANTINE REGULATIONS

INTRODUCTORY NOTE

The following revision of regulation 5 removes all restrictions on the interstate movement of fruits and vegetables from the regulated areas, except that restrictions still remain in force on the interstate movement of fruits and vege-

tables by refrigerator car or motortruck from designated area in which heavy flights of beetles occur to points outside the regulated areas. However, fruits and vegetables shipped by motortruck or refrigerator car from the area designated in paragraph (1) of regulation 5 to the city of Buffalo and other regulated parts of Erie County, N. Y., and to Brighton and Rochester, N. Y., formerly designated as isolated points in the regulated area, are not subject to certification requirements.

LEE A. STRONG,
Chief, Bureau of Entomology and Plant Quarantine.

AMENDMENT NO. 3 TO THE RULES AND REGULATIONS (SEVENTEENTH REVISION) SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 48

[Approved May 22, 1940; effective May 27, 1940]

Under authority conferred by the Plant Quarantine Act of August 20, 1912 (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), it is ordered that regulation 5 (sec. 301.48-5) of the rules and regulations (seventeenth revision) supplemental to Notice of Quarantine No. 48 (sec. 301.48) on account of the Japanese beetle, which were promulgated February 16, 1939, as amended, is hereby further amended to read as follows:

REGULATION 5

SEC. 301.48-5. *Restrictions on the movement of fruits and vegetables.*—*A. Control of movement.*—(1) Unless a certificate or permit shall have been issued therefor, by an inspector, except as provided in paragraphs (*a*) to (*c*), inclusive, of this regulation, no fruits or vegetables of any kind shall be moved or allowed to be moved interstate via refrigerator car or motortruck from the State, District, counties, election districts, townships, towns, or cities listed below to or through any point outside the regulated areas:

Connecticut.—Town of Greenwich in Fairfield County.

Delaware.—The entire State.

District of Columbia.—The entire District.

Maryland.—Counties of Cecil, Harford, Kent, Queen Annes, Somerset, and Worcester; election district No. 5 in *Anne Arundel County;* the city of Baltimore; all of *Baltimore County* except election districts Nos. 4, 5, 6, 7, 8, and 10; all of *Caroline County* except election districts of American Corners (No. 8), and Hillsboro (No. 6); election districts of Cambridge (No. 7), East New Market (No. 2), Hurlock (No. 15), and Williamsburg (No. 12), in *Dorchester County;* election districts of Camden (No. 13), Delmar (No. 11), Dennis (No. 6), Fruitland (No. 16), Nutters (No. 8), Parsons (No. 5), Pittsburg (No. 4), Salisbury (No. 9), and the town of Salisbury, Trappe (No. 7), and Willard (No. 14), in *Wicomico County.*

New Jersey.—Counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Salem, Somerset, and Union; townships of Lodi, Lyndhurst, Overpeck, Rochelle Park, Saddle River, and Teaneck, the cities of Englewood, Garfield, and Hackensack, and the boroughs of Bogota, Carlstadt, Cliffside Park, East Paterson, East Rutherford, Edgewater, Englewood Cliffs, Fair Lawn, Fairview, Fort Lee, Glen Rock, Hasbrouck Heights, Leonia, Little Ferry, Lodi, Maywood, Moonachie, North Arlington, Palisades Park, Ridgefield, Rutherford, Teterboro, Wallington, and Wood Ridge, in *Bergen County;* townships of Chatham, Chester, Denville, East Hanover, Hanover, Harding, Mendham, Morris, Morristown, Parsippany-Troy Hills, Passaic, Randolph, and Washington, and the boroughs of Chatham, Florham Park, Madison, Mendham, and Morris Plains, in *Morris County;* township of Little Falls, the cities of Clifton, Passaic, Paterson, and the boroughs of Haledon, Hawthorne, North Haledon, Prospect Park, Totowa, and West Paterson, in *Passaic County;* townships of Franklin, Greenwich, Lopatcong, Mansfield, Phillipsburg, Pohatcong, and Washington, and the boroughs of Alpha and Washington, in *Warren County.*

New York.—Counties of Bronx, Kings, New York, Queens, and Richmond; town of North Hempstead, in *Nassau County;* towns of Eastchester, Harrison, Mamaroneck, Pelham, Rye, and Scarsdale, and the cities of Mount Vernon, New Rochelle, White Plains, and Yonkers, in *Westchester County.*

Pennsylvania.—Counties of Bucks, Chester, Delaware, Lancaster, Montgomery, and Philadelphia; townships of Alsace, Amity, Bern, Brecknock, Caernarvon, Colebrookdale, Cumru, District, Douglas, Earl, Exeter, Hereford, Lower Alsace, Maidencreek, Muhlenberg, Oley, Ontelaunee, Pike, Robeson, Rockland, Ruscombmanor, South Heidelberg, Spring, Union, and Washington, the city of Reading, and the boroughs of Bally, Bechtelsville, Birdsboro, Boyertown, Mohnton, Mount Penn, Saint Lawrence, Shillington, Sinking Spring, Temple, West Lawn, West Reading, Wyomissing, and Wyomissing Hills, in *Berks County;* townships of Londonderry, Lower Paxton, Lower Swatara, Susquehanna, and Swatara, the city of Harrisburg, and the boroughs of Highspire, Middletown, Paxtang, Penbrook, Royalton, and Steelton, in *Dauphin County;* townships of Lower Macungie, Lower Milford, Upper Milford, and Upper Saucon, and the boroughs of Coopersburg, and Emaus, in *Lehigh County;* townships of Lower Saucon and Williams, in *Northampton County;* townships of Lower Chanceford and Peach Bottom, in *York County.*

Virginia.—Counties of Accomac, Arlington, and Northampton: *Provided,* That shipments of fruits and vegetables moving interstate from the area specified in paragraph (1) of this regulation to other points in the regulated area and subsequently diverted to points outside the regulated area, shall be regarded as direct shipments from the point of origin. As such they require certification: *Provided further,* That the Chief of the Bureau of Entomology and Plant Quarantine may by administrative instructions extend or reduce the areas specified in this regulation when in his judgment such action is considered advisable.

(*a*) No restrictions are placed on the interstate movement of fruits and vegetables between October 16 and June 14, inclusive, except that in the case of movement interstate from the following areas, the exemption applies only during the period from October 16 to May 31, inclusive:

Virginia.—The counties of Accomac, Elizabeth City, Norfolk, Northampton, and Princess Anne; the magisterial district of Sleepy Hole, in *Nansemond County;* Camp Stuart in *Warwick County;* and the cities of Hampton, Newport News, Norfolk, Portsmouth, South Norfolk, and Suffolk.

(*b*) No certificate or permit will be required for the interstate movement of fruits and vegetables when transported by a common carrier on a through bill of lading either from a point outside the area designated in this regulation through that area to another outside point, or from the area designated in this regulation through a nonregulated area to another regulated area, except that a certificate is required for interstate movement from the area specified in paragraph (1) of this regulation to the following-named isolated points: Brewer and Waterville, Maine; Hornell, Mount Morris, and Watertown, and the town of Hornellsville, Steuben County, N. Y., or to other regulated parts of Jefferson and Livingston Counties, N. Y.; Columbus, Coshocton, Mansfield, Newark, and Toledo, Ohio, or to other regulated parts of Licking and Richland Counties, Ohio; Corry and Erie, Pa.; Burlington, Vt.; and Charleston and Parkersburg, W. Va.

(*c*) No restrictions are placed on the interstate movement of fruits and vegetables when they shall have been manufactured or processed in such a manner that in the judgment of the inspector no infestation could be transmitted.

(*d*) No restrictions are placed on the interstate movement of any shipments of (1) bananas in single bunches packed in commercial containers; or (2) bananas singly, or in individual hands.

(*e*) No restrictions are placed on the interstate movement of fruits and vegetables from the area listed in paragraph (1) of this regulation to the remainder of the regulated area, other than as specified in paragraph (*b*) of this regulation.

(2) No restrictions are placed on the interstate shipment from the regulated areas of fruits and vegetables other than those mentioned above except that any such interstate shipments of fruits and vegetables may be inspected at any time or place inside or outside the regulated areas and when actually found to involve danger of dissemination of Japanese beetle to uninfested localities, measures to eliminate infestation may be required as a condition of further transportation or delivery.

B. Conditions of certification.—Certificates may be issued for the interstate movement of fruits and vegetables between June 15 and October 15, inclusive (or between June 1 and October 15, inclusive, when consigned from that part of Virginia described in paragraph (*a*) of this regulation), under one of the following conditions:

(3) When the fruits and vegetables moving by motortruck have actually been inspected by the United States Department of Agriculture and found free from infestation. The number of inspection points for such certification will be limited and their location determined by shipping needs and further conditioned on the establishment at such points of provisions satisfactory to the inspector for the handling and safeguarding of such shipments during inspection. Such inspection may be discontinued and certification withheld by the inspector during periods of general or unusual flight of the beetles.

(4) When the fruits and vegetables have been handled or treated under the observation of an inspector in manner and by method to free them from any infestation.

(5) When the fruits and vegetables have originated outside the areas designated in this regulation, and are to be reshipped directly from freight yards, transfer points, or unloading docks within such areas, under provisions satisfactory to the inspector for safeguarding of such shipments pending certification and reshipment. Certificates on this basis will be issued without inspection only in cases where, in the judgment of the inspector, the shipments concerned have not been exposed to infestation while within such freight yards, transfer points, or unloading docks.

(6) When the fruits and vegetables were grown in districts where the fact has been established to the satisfaction of the inspector that no infestation exists and are to be shipped directly from the farms where grown to points outside the areas designated in paragraph (1) of this regulation, or are shipped from infested districts where the fact has been established to the satisfaction of the inspector that the Japanese beetle has not begun or has ceased its flight.

(7) When the fruits and vegetables moving via refrigerator car from the area designated in this regulation have been inspected and loaded in a manner to prevent infestation, in a refrigerator car with closed or adequately screened doors and hatches, which car prior to loading has been determined by an inspector as fumigated or thoroughly swept and cleaned by the common carrier in a manner to rid it of infestation. During the interval between fumigation or cleaning and loading, such refrigerator car must be tightly closed and sealed.

(8) When the fruits and vegetables moving via refrigerator car from the area designated in this regulation have been fumigated in the car, when deemed necessary in the judgment of the inspector and when the doors and hatches of the car have been tightly closed or adequately screened under the supervision of an inspector.[6]

This amendment supersedes regulation 5 of amendment 2 promulgated April 4, 1940, and shall be effective on and after May 27, 1940.

Done at the city of Washington this 22d day of May 1940.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[Copies of foregoing amendment were sent to all common carriers doing business in or through the quarantined area.]

NOTICE TO GENERAL PUBLIC THROUGH NEWSPAPERS
UNITED STATES DEPARTMENT OF AGRICULTURE,
Washington, D. C., May 22, 1940.

Notice is hereby given that the Secretary of Agriculture, under authority conferred on him by the Plant Quarantine Act of August 20, 1912 (37 Stat. 315), as amended, has promulgated Amendment No. 3 to the revised regulations supplemental to the Japanese beetle quarantine (Notice of Quarantine No. 48), effective on and after May 27, 1940. The purpose of the amendment is to remove the restrictions on the interstate movement of fruits and vegetables from the regulated areas, except that restrictions still remain in force on the interstate movement of fruits and vegetables by refrigerator car or motortruck from designated area in which heavy flights of beetles occur to points outside the regulated areas. Fruits and vegetables shipped by motortruck or refrigerator car from that area to Buffalo, other regulated parts of Erie County, Rochester, and Brighton, N. Y., formerly designated as isolated regulated points, are not sub-

[6] Sec. 301.48-5 issued under authority of sec. 8, 37 Stat. 318; 39 Stat. 1165; 44 Stat. 250; 7 U. S. C. 161.

ject to certification requirements. Copies of the amendment may be obtained from the Bureau of Entomology and Plant Quarantine, U. S. Department of Agriculture, Washington, D. C.

H. A. WALLACE,
Secretary of Agriculture.

[Published in the following newspapers: The Times, Hartford, Conn., May 28, 1940; the Journal-Every Evening, Wilmington, Del., May 27, 1940; the Press-Herald, Portland, Maine, May 28, 1940; the Sun, Baltimore, Md., May 28, 1940; the Post, Boston, Mass., May 28, 1940; the Union-Leader, Manchester, N. H., May 28, 1940; the News, Newark, N. J., May 28, 1940; the Times, New York, N. Y., May 27, 1940; the Press, Cleveland, Ohio, May 28, 1940; the Bulletin, Philadelphia, Pa., May 27, 1940; the Bulletin, Providence, R. I., May 28, 1940; the Free Press, Burlington, Vt., May 28, 1940; the News Leader, Richmond, Va., May 27, 1940; the Gazette, Charleston, W. Va., May 28, 1940; and the Evening Star, Washington, D. C., June 3, 1940.]

B. E. P. Q. 499, Supplement No. 2.

ADMINISTRATIVE INSTRUCTIONS TO INSPECTORS ON THE TREATMENT OF NURSERY PRODUCTS, FRUITS, VEGETABLES, AND SOIL, FOR THE JAPANESE BEETLE

METHYL BROMIDE TREATMENT SCHEDULE FOR FRUITS AND VEGETABLES MODIFIED

[Approved June 1, 1940; effective June 4, 1940]

Results of further experiments in methyl bromide fumigation of produce for compliance with certification requirements of Quarantine No. 48 indicate that the dosage may be reduced from 5 pounds to 4 per refrigerator car at a temperature of 80° F. and retain effectiveness of the treatment against adult Japanese beetles. The modified treatment will, it is believed, reduce the cost of fumigation as well as the possibility of injury to certain fruits and vegetables. Circular B. E. P. Q. 499, issued June 9, 1939, is accordingly hereby modified by changing subsection (q) on page 19 of the mimeographed circular to provide for alternative treatments as follows:

(q) METHYL BROMIDE FUMIGATION

(1) REFRIGERATOR CARS

Equipment.—Refrigerator cars must have sound, well-fitting doors and hatches, and be in condition satisfactory to the inspector. Standard cloth screens for covering the hatches and a temporary cloth screen for covering one door during ventilation are essential. An electric blower of not less than 750 CFM capacity against ¼-inch water pressure, equipped with devices for lowering into the bunker and securing, so that the blower outlet butts against the bunker screen unimpeded either by studs or burglar bar.

Temperature and dosage.—The temperature in the car during the treatment must be at least:

(i) 80° F. with a dosage of 1.6 pounds for each 1,000 cubic feet, or 4 pounds per refrigerator car; or

(ii) 70° F. with a dosage of 2 pounds for each 1,000 cubic feet, or 5 pounds per refrigerator car.

Period of treatment.—Two hours from the end of the fumigant release period.

Application.—The doors must be closed tightly and the ice drips properly plugged. The methyl bromide may be either weighed or measured and released through a copper or brass applicator tube of ¼-inch bore. This tube must be fitted with a disc-type spray nozzle and must be bent in a "U" shape at the end, so that the spray nozzle is directed upward toward the center of the bunker and not less than 1 foot below the ceiling during the release of the fumigant. The blower must be in continuous operation during the release of the fumigant, and for 5 minutes thereafter. At the end of this period the blower may be removed and transferred to the next car. The fumigant must be released in a split dosage. When a 5-pound dosage is applied, 3 pounds must be released in the bunker through the hatch across from the blower, and 2 pounds in the bunker at the opposite end of the car and in line with the blower. When a 4-pound dosage is applied, 2 pounds must be released in the blower end, and 2 pounds at the opposite end of the car as described above.

Modification of this method of application may be made upon authorization of an inspector.

Ventilation.—At the end of the exposure period, all hatches must be immediately propped open and screened, and the drip plugs removed. One door must be opened and screened for a period of 20 minutes, following which it should be closed and sealed. If the car is to be moved within half an hour, the opening of the door may be omitted.

Commodities treated.—The treatment is approved for the following fruits and vegetables: White potatoes, sweetpotatoes, onions, tomatoes, snap beans, lima beans, sweet corn, cabbage, carrots, beets, apples, and peaches.

(2) FUMIGATION HOUSE, ROOM, AND BOX

The commodities listed above may be fumigated in approved fumigation chambers. The same requirements as to dosage, circulation period, exposure, temperature, and screening of doors listed under refrigerator car fumigation apply. The chamber must be ventilated with the ventilating equipment in continuous operation for half an hour. All ventilator intakes must be protected with 8-mesh wire screen. The ventilating fan must run during both the placing and removal of the load. In addition, the requirements for screened loading facilities and the subsequent certification of loads must be met.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

B. E. P. Q. 509.

ORDER AMENDING SECTION 301.48–5, CHAPTER III, TITLE 7, CODE OF FEDERAL REGULATIONS AND MODIFYING THE JAPANESE BEETLE QUARANTINE REGULATIONS AS TO SHIPMENTS OF FRUITS AND VEGETABLES FROM CERTAIN AREAS IN VIRGINIA

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of paragraph (1) of subsection A of Section 301.48–5, Chapter III, Title 7, Code of Federal Regulations [regulation 5 of the rules and regulations (17th revision) supplemental to Notice of Quarantine No. 48 on account of the Japanese beetle, as amended], as amended by the order of the Secretary of Agriculture dated May 22, 1940 (5 F. R. 1847 *et seq.*), subdivision (*a*) of said paragraph is hereby amended to read as follows:

"(*a*) No restrictions are placed on the interstate movement of fruits and vegetables between October 16 and June 14, inclusive, except that in the case of movement interstate from the following areas, the exemption applies only during the period from October 16 to May 31, inclusive:

"*Virginia.*—The counties of Accomac and Northampton."

The infestation in the remainder of the area formerly designated in subdivision (*a*) is of such a nature that it is considered to be of no hazard in the spread of Japanese beetles through shipments of fruits and vegetables. Therefore, it is considered advisable to reduce the area specified in the subdivision.

Done at Washington, D. C., this 20th day of June 1940.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

ANNOUNCEMENT RELATING TO PINK BOLLWORM QUARANTINE (NO. 52)

B. E. P. Q. 493, revised.

ADMINISTRATIVE INSTRUCTIONS RELATING TO PINK BOLLWORM QUARANTINE—RESTORING THE TREATMENT REQUIREMENTS AS TO COTTON LINTERS, COTTONSEED HULLS, CAKE, AND MEAL, AND EXTENDING THE AREA IN WHICH BALED COTTON LINT MAY BE MOVED FROM CERTAIN LIGHTLY INFESTED AREAS IN NEW MEXICO AND TEXAS WITHOUT TREATMENT

MAY 1, 1940.

INTRODUCTORY NOTE

Administrative instructions issued March 30, 1939 (circular B. E. P. Q. 493) modified the treatment requirements for the pink bollworm as to baled lint and linters and products thereof, and also as to cottonseed hulls, cake, and meal when moved interstate from certain counties in northwestern Texas and from

Lea and Roosevelt Counties, N. Mex. At the time this action was taken, it was hoped that climatic conditions unfavorable to the development of the pink bollworm, plus control and regulatory activities, would result in elimination of the pink bollworm in northwest Texas and adjacent areas in New Mexico. However, infestations have persisted in such areas and spread to additional counties to the south and southeast. Therefore, it is considered necessary to restore the restrictions previously in effect so that linters, cottonseed hulls, cake, and meal shall be produced, as a condition of interstate movement from such areas, from sterilized seed, or in the case of linters, otherwise treated as specified in quarantine regulations. Baled cotton lint, however, may, under the current instructions, continue to be shipped from the designated area, without the treatment formerly required.

The purposes of the present revision of the administrative instructions are therefore (1) to return to the treatment requirements of paragraphs (*a*) and (*c*) of regulation 4, in shipping cotton linters, cottonseed hulls, cake, and meal, and (2) to extend the area from which it is considered safe to remove treatment requirements for baled cotton lint, by adding the Texas counties of Concho, Irion, Mitchell, Sterling, Tom Green, and the regulated part of Coke County.

MODIFICATION OF RESTRICTIONS

Under authority contained in the second proviso of Notice of Quarantine No. 52, revised (Sec. 301.52), and having determined that facts exist as to the pest risk involved which make it safe to modify, by making less stringent, the restrictions contained in paragraph (*a*) of regulation 4 (Sec. 301.52–4) of the pink bollworm quarantine, notice is hereby given that baled cotton lint and products thereof may be moved interstate without restriction from the following area:

New Mexico.—Lea and Roosevelt Counties. *Texas.*—Counties of Andrews, Cochran, Concho, Dawson, Ector, Gaines, Glasscock, Hockley, Howard, Irion, Martin, Midland, Mitchell, Stering, Terry, Tom Green, Yoakum, and the regulated parts of *Bailey*, *Coke*, and *Lamb* Counties: *Provided*, (1) That the products have been produced in an authorized gin and subsequently protected from contamination, and (2) that a certificate of the United States Department of Agriculture has been obtained and attached to the containers or shipping papers in accordance with the requirements prescribed in regulation 11 (Sec. 301.52–11) of said quarantine.

These instructions supersede and cancel those in circular B. E. P. Q. 493 dated March 30, 1939.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

ANNOUNCEMENTS RELATING TO WHITE-FRINGED BEETLE QUARANTINE (NO. 72)

B. E. P. Q. 485 (fifth revision).

ADMINISTRATIVE INSTRUCTIONS—REMOVAL OF WHITE-FRINGED BEETLE CERTIFICATION REQUIREMENTS UNTIL FEBRUARY 1, 1941, FOR SPECIFIED ARTICLES CONSIGNED FROM DESIGNATED PORTIONS OF THE REGULATED AREAS

MAY 24, 1940.

It has been determined that the application of control measures, the continuation of approved sanitation practices, and natural conditions have so decreased the intensity of infestation of the white-fringed beetle in certain parts of the regulated areas, as to eliminate the risk of contamination with the egg or adult stage, thereby justifying modification of certification requirements. Therefore, under authorization provided in Notice of Quarantine No. 72 (Sec. 301.72) all certification requirements are hereby waived until February 1, 1941, for the following articles enumerated in Regulation 3 (*a*) and (*b*) (Sec. 301.72–3), when free from soil and when moved interstate from the regulated parts of the areas listed below:

1. When moved interstate from the regulated parts of the following counties: In *Alabama*, Mobile County; in *Florida*, Escambia County; in *Louisiana*, East Baton Rouge Parish; in *Mississippi*, counties of Jackson, Hinds, and Pearl River; certification requirements are waived for the following articles:

Potatoes and sweetpotatoes.
Sweetpotato vines, draws, and cuttings.
Cordwood, pulpwood, stumpwood, and logs.
Used or unused lumber, timbers, posts, poles, crossties, and other building materials.
Hay, roughage of all kinds, straw, leaves, and leafmold.
Peas, beans, and peanuts in shells, or the shells of any of these products.
Seed cotton, cottonseed, baled cotton lint, and linters.
Used implements and machinery, scrap metal, junk, and utensils or containers coming in contact with the ground.
Brick, tiling, stone, and concrete slabs and blocks.
Nursery stock and other plants, which are free from soil.

2. When moved interstate from the parishes of Saint Bernard and Orleans (including the city of New Orleans) and from the regulated parts of the parishes of Jefferson and Plaquemines in *Louisiana*, certification requirements are waived for the following articles:
Potatoes and sweetpotatoes.
Sweetpotato vines, draws, and cuttings.
Cordwood, pulpwood, stumpwood, and logs.
Unused lumber, timbers, posts, poles, and crossties.
Hay, roughage of all kinds, straw, leaves, and leafmold.
Peas, beans, and peanuts in the shells, or the shells of any of these products.
Seed cotton, cottonseed, baled cotton lint, and linters.
All articles designated in paragraphs (*a*) and (*b*) of Regulation 3 of Quarantine No. 72 (Sec. 301.72–3) for which certification requirements are not hereinabove waived, shall remain under the restrictions of that regulation during the periods covered therein.

(Issued under Sec. 301.72) [B. E. P. Q. 485, Fifth Revision, effective June 1, 1940.]

This revision supersedes all previous issues of circular B. E. P. Q. 485.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

INSTRUCTORS TO POSTMASTERS

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington, June 10, 1940.

POSTMASTER:

MY DEAR SIR: Attention is invited to the inclosed administrative instructions (B. E. P. Q. 485, Fifth Revision), issued by the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, in connection with Federal Quarantine Order No. 72, on account of the white-fringed beetle.

Postmasters in the quarantined areas will please be governed accordingly. See paragraph 1, section 595, Postal Laws and Regulations.

Very truly yours,

RAMSEY S. BLACK,
Third Assistant Postmaster General.

TERMINAL INSPECTION OF PLANTS AND PLANT PRODUCTS

CHANGE OF PLANT INSPECTION PLACE IN ARIZONA

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington, April 2, 1940.

Postmasters are informed that facilities for the inspection of plants and plant products at San Simon, Ariz., have been discontinued and a new inspection place established in lieu thereof at Bowie, Ariz., where inspection will be made upon call. See section 596, Postal Laws and Regulations, and article 62 (b), page 20 of the July 1939, Postal Guide, Part I.

RAMSEY S. BLACK,
Third Assistant Postmaster General.

MISCELLANEOUS ITEMS

P. Q. C. A. 283, Revised, Supplement No. 7.

PLANT-QUARANTINE IMPORT RESTRICTIONS, REPUBLIC OF CUBA

April 8, 1940.

White-Fringed Beetle Restrictions

[Resolution No. 253, March 27, 1939]

IMPORTATION OF CERTAIN PRODUCTS PROHIBITED FROM INFESTED AREAS

Article 1. The following products are deemed possible carriers of the insect pest known as the white-fringed beetle (*Pantomorus leucoloma* (Boh.)) and another closely related species of *Pantomorus*, namely, potatoes, sweetpotatoes, and other tubers, peas, peanuts in the shell, unginned cotton, cottonseed, earth, and turf (sod).

Art. 2. The importation into Cuba of any of the above-mentioned products is strictly prohibited from the infested (regulated) areas[6] of the States of Alabama, Florida, Mississippi, and Louisiana, and similar regions in the United States where the above-mentioned insects may become established in the future. Other products which, in the opinion of the Cuban Ministry of Agriculture, may be deemed possible carriers of the above-mentioned insects, may be prohibited entry from such infested areas in the future.

PRODUCTS FROM UNINFESTED AREAS MUST BE CERTIFIED

Art. 3. When these products which are the subject of quarantine action by Cuba, originate in uninfested areas of the above-mentioned States, or from like areas in States which may become infested in the future, it will be necessary, in order to permit their entry into Cuba, that they be accompanied by a phytosanitary certificate, visaed by a Cuban consul, issued by the U. S. Department of Agriculture, affirming that the areas from which the products proceed are free from the above-mentioned insects.

INSPECTION ON ARRIVAL

Art. 4. The products referred to in this resolution whose importation is not prohibited, will be subjected on arrival in Cuba to inspection by the Bureau of Plant Quarantines of the Cuban Ministry of Agriculture, and if they are found without the aforesaid certificate when such certificates are required, or if inspection shows them to be infested, they will be disposed of by reexportation or by burning, as the consignee may elect.

Avery S. Hoyt,
Acting Chief, Bureau of Entomology and Plant Quarantine.

B. E. P. Q. 375, Revised Supplement No. 3.

PLANT-QUARANTINE IMPORT RESTRICTIONS, KINGDOM OF EGYPT

April 8, 1940.

Importation of Certain Fruits and Plants Prohibited

[Order of May 29, 1939, of the Ministry of Agriculture Notice in "Journal Officiel," No. 71 of July 20, 1939]

INFESTATION BY CERTAIN SCALE INSECTS PROHIBITED ENTRY

Article 2. The entry into Egypt of all fruits, plants, and parts of plants will be prohibited if, after inspection by agents of the Ministry of Agriculture, they are shown to be infested with *Aspidiotus destructor* Sign., *Pseudococcus nipae* Mask., or *Pseudococcus comstocki* Kuw. It has been demonstrated that these insects cannot be controlled effectively by fumigation.

[6] See Notice of Quarantine No. 72, the White-Fringed Beetle Quarantine.

LIST OF PLANTS REQUIRING AUTHORIZATION EXTENDED

ART. 3. The following list of plants, including also the fruits and parts of plants, is added to those which may be imported into Egypt only by an authorization granted by the Ministry of Agriculture and the importation must conform to the conditions of the authorization:

Palmaceae.
Pandanaceae.
Bignoniaceae.
Anonaceae.
Musaceae.
Anacardiaceae.
Rubiaceae.
Amaryllidaceae.
Myrtaceae.
Cleaceae.
Lauraceae.
Caricaceae.
Ebenaceae.

The application for the authorization should be addressed to the Crop Protection Section, Ministry of Agriculture, Cairo.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

B. E. P. Q. 411, Supplement No. 2.

PLANT-QUARANTINE IMPORT RESTRICTIONS, REPUBLIC OF MEXICO

APRIL 8, 1940.

AMENDMENT TO EXTERIOR QUARANTINE NO. 12 ABROGATED

[Resolution published October 11, 1939]

THE MINISTRY OF AGRICULTURE AND DEVELOPMENT

ALFALFA SEED FROM YUMA COUNTY, ARIZONA

* * * * * * *

Whereas, the insect found in Yuma County, Ariz., corresponds to the species *Hypera brunneipennis* Boh. which is not found in the fields during the harvesting of alfalfa seed and, therefore, cannot contaminate it;

* * * * * * *

This Ministry has seen fit to issue the following Resolution.

1. There is abrogated hereby the Addition to Exterior Quarantine No. 12, promulgated on June 16, 1939, because it is not applicable.

2. Alfalfa seed harvested in the County of Yuma, Ariz., U. S. A., may be imported into the Republic of Mexico, provided that it is covered by a certificate of soundness (sanitary certificate) issued by the competent authorities of the neighbor country of the north, in which it is stated that it (the seed) is free from the insects *Hypera posticus* and *Hypera brunneipennis* and, in addition, it is packed in new and closed sacks.

This supplement cancels B. E. P. Q. 411, supplement No. 1.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

B. E. P. Q. 502, Supplement No. 1.

PLANT-QUARANTINE IMPORT RESTRICTIONS, REPUBLIC OF PARAGUAY

MAY 9, 1940.

CURCULIO ADDED TO LIST OF DECLARED PESTS

[Decree No. 165, published in Gaceta Oficial of Paraguay, March 8, 1940]

The President of the Republic of Paraguay decrees: In accordance with Article 11, division B of the law 672, the curculio, *Conotrachelus denieri* Hust., is added to the list of agricultural insect pests.

LEE A. STRONG,
Chief, Bureau of Entomology and Plant Quarantine.

PENALTIES IMPOSED FOR VIOLATIONS OF THE PLANT QUARANTINE ACT

According to reports received by the Bureau during the period April 1 to June 30, 1940, penalties have recently been imposed by the proper authorities for violations of the Plant Quarantine Act, as follows:

QUARANTINES AFFECTING MEXICAN PRODUCTS

In the case of the United States versus the persons listed below, for attempting to smuggle in contraband plant material, the penalties indicated were imposed by the United States customs officials at the following ports:

Name	Port	Contraband	Penalty
P. Vasquez	San Ysidro, Calif.	1 papaya	$1
Jesus Eato	do	98 plants	1
Mrs. W. A. Joplin	do	20 plants	1
Roy Lucas	Brownsville, Tex.	3 mangoes	1
Apolonio Martinez	do	4 avocado seed	1
Proxedio Oribe	do	2 mangoes	1
Mrs. Rivas Castillo	do	4 mangoes	1
Juana Avila	do	1 avocado seed	1
Benita Reyes	Del Rio, Tex.	5 sweetpotatoes	1
Aguedits Valdez de Bermea	do	1 mango	1
Refugio B. Rodriguez	Eagle Pass, Tex.	3 mangoes	1
Margarita Banda	do	6 plants	1
Mrs. Maria A. de Beltran	do	1 mango	1
Romana Alvarado	do	15 apricots	1
Maria Cantu	do	12 apricots	1
Benedicta Murando	do	2 plums	1
Gabina F. Faris	do	16 plants	1
Tiburcio Medinilla	El Paso, Tex.	2 avocados	1
Maria Murillo	do	6 plants	1
Margarita Pinon de Contreras	do	8 mangoes	1
Felipe Valadez	Hidalgo, Tex.	1 mango	1
Laura Gomez	do	2 avocados	1
Marcus Sanchez	do	5 plants	1
Teresa Ramirez	do	1 mango seed	1
Salvador Escato	do	3 avocados	1
Maria Rosales de Gonzales	do	1 plant	1
M. D. Cavazos	do	1 mango and 1 mango seed	1
Felistas Aguillar	do	1 mango	1
Florencia Reyas	do	5 plants	1
Juanita Besera	do	2 mangoes	1
H. Juninez	do	3 pounds husk tomatoes	1
Amada G. Barrera	do	2 plants	1
Flora Cardenas	do	1 plant	1
Rosa Bosanegra	do	3 plants	1
Maria Ruiz	do	2 plants	1
Juan Almaraz	do	2 avocados	1
E. C. Adame	do	13 avocados and 5 mangoes	5
Manuela Pruneda	do	1 plant	1
Julia Trevino	do	do	1
Librada Casas	do	do	1
Juana Rodrigues	do	do	1
Guadalupa Ramirez	do	1 avocado	1
Maria Tamez	Laredo, Tex.	2 mangoes	1
Rebecca Tamez	do	1 mango	1
Maria de Jesus Martinez	do	do	1
Ofilia Martinez	do	2 mangoes	1
Enrique Aldope	do	12 avocados	1
Miguel Hernandez	do	3 sweet limes	1
Divencea Vda. Rodriquez	do	1 guava	1
Maria Rodriquez	do	2 guavas	1
Aurelia Guardado	do	1 plant	1
Mrs. Oliva Rodriquez	do	1 plant and ½ pound tree seed	1
Oscar Carabello	do	2 avocados	1
Valentine Hernandez	do	1 plant	1
Cesario Ramos	do	2 mameys	1
Felicita Pena	do	1 plant	1
Elena Bacanegra	do	1 mamey	1
Jesus Valdez	do	4 avocados	1
Elias Y Lopez	do	2 avocados	1
Juan Martinez	do	19 plants	1
Nazario Galvan	do	24 sweet limes, 10 plants, 1 avocado	1
Joe Ochoa	do	9 plants	1
E. Placencia	do	29 plants	1
Elvira Saenz	do	10 plants	1
Rose Siedman	do	4 oranges	1
Emilio D. Hernandez	do	2 mangoes and 4 sapote seed	1
John L. Bossi	do	1 mamey	1

Name	Port	Contraband	Penalty
Julia Padilla	Laredo, Tex	3 mangoes	$1
Adela N. Meave	do	2 mangoes	1
Lusiana V. Rodriguez	do	4 mangoes, 4 mameys, and 4 sapote seed.	1
Anna Gutierrez	do	1 mango seed and 4 plants	1
Enrique Barrera	do	5 avocados	1
Alfonso Chevez	do	2 mango seed	1
M. W. Zeissler	do	4 oranges	1
Manuel Torres	do	2 avocados	1
R. Kennings	do	6 mameys and 1 mango	1
Estrada de Rojas	do	3 mangoes and 1 orange	1
Dario Gutierrez	do	1 avocado	1
Mrs. Maria Ramirez	do	4 avocados and 1 mango	1
Pedro Ramirez	do	2 mangoes	1
Mrs. Carmen Aguilar	do	1 mango	1
Jesus Rodriquez	do	8 apricots	1
Miss Amelia Bacanega	do	3 mangoes	1
I. M. Oleander	do	10 mangoes and 25 avocados	3
Mrs. Max Figueroa	do	2 plants	1
Mrs. Josefa Valdez	do	do	1
Donicano Corba	do	1 mango	1
Mrs. S. W. Garza	do	2 plants	1
David Elizondo	Mercedes, Tex	3 avocados	1

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U. S. GOVERNMENT PRINTING OFFICE: 1940